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ILLINOIS ATTORNEY GENERAL

Informational Resources

Office of the State
Appellate Defender
(866) 431-4907
www.state.il.us/defender

• Cook County Clerk of
the Circuit Court
(312) 603-5030
www.cookcountyclerkofcourt.org

• Prisoner Review Board
(217) 782-7273

• www.IllinoisLawHelp.org
Chicago-Kent College of Law
Cabrinini Green Legal Aid Clinic
(312) 266-1345

• Illinois State Police
Bureau of Identification
(815) 740-5160



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CHICAGO
100 W. Randolph Street
Chicago, IL 60601
(312) 814-3000
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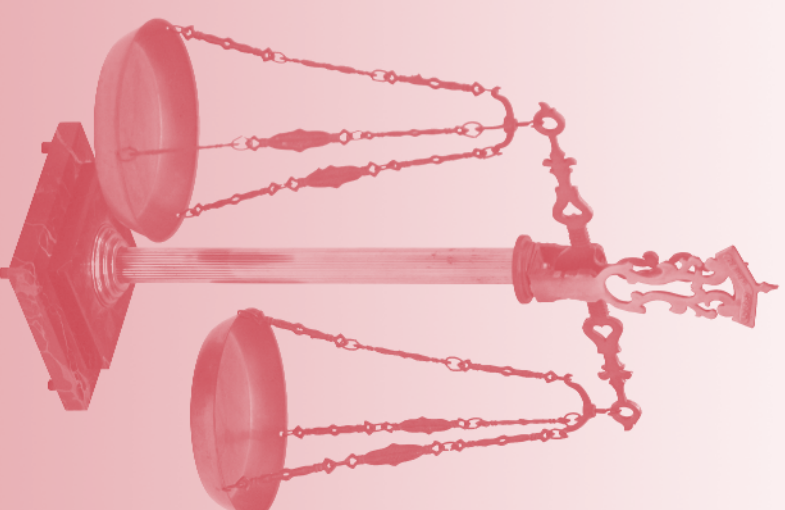
SPRINGFIELD
500 South Second Street
Springfield, IL 62706
(217) 782-1090
TTY: (217) 785-2771

CARBONDALE
1001 East Main Street
Carbondale, IL 62901
(618) 529-6400
TTY: (618) 529-6403

www.IllinoisAttorneyGeneral.gov

EXPUNGEMENT

GENERAL GUIDELINES FOR EXPUNGING AND SEALING CRIMINAL RECORDS IN ILLINOIS



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What Are Expungement And Sealing?

Expungement and sealing are ways to limit access to criminal records.

This brochure provides a general overview of expunging and sealing records in Illinois. This information does not apply to every case, however, and you must go to the Clerk of the Circuit Court in the county where charges were brought against you to start the process. Ultimately, a judge decides if your criminal record can be expunged or sealed.

How Do I Expunge Or Seal My Record?

You must go to the Clerk of the Circuit Court in the county where charges were brought against you. The Clerk of the Circuit Court will assist you in filing the necessary papers and paying fees.

Do I Need A Lawyer?

You do not have to hire an attorney to clear your record, but you may hire one to help you, if you choose. If you would like to hire a lawyer but cannot afford one, please contact a legal aid service.

Expunging Versus Sealing: What's The Difference?

EXPUNGEMENT results in a record being destroyed.

SEALING means the record is kept confidential and can only be reviewed for limited law enforcement and sentencing purposes. In Illinois, sealed criminal history records are not released to employers.

Although convictions may be harder to expunge, you can usually seal records of misdemeanor convictions if you have had a clean record in recent years.

What Can I Expunge?

Under current Illinois law, you can have a court expunge your record if any of the following circumstances apply to you:

1. Your record can be expunged of municipal ordinance, misdemeanor and felony charges IF:
 - You were found NOT GUILTY of the charges, OR
 - The State dismissed the charges against you.
2. If you were sentenced to supervision for certain misdemeanors, AND
 - It has been at least five years since supervision was discharged, AND
 - You have not been arrested or criminally charged since the supervision was discharged.
3. If you were sentenced to probation for certain misdemeanors, AND
 - It has been five years since successful termination of probation, AND
 - You have not been arrested or criminally charged since probation was discharged, and there are no charges pending against you.
4. If you were released without conviction following a sentence of supervision for certain offenses – EXCEPT DUI and any sexual offenses committed against a minor younger than 18 – AND it has been two years since successful discharge and dismissal from supervision.
5. If you were convicted or found guilty AND EITHER
 - You received a pardon from the governor that specifically authorizes an expungement*, OR
 - Your conviction was set aside on direct review or collateral attack, and the court “determines by clear and convincing evidence that the defendant was factually innocent.”

**For information on requesting a pardon, call the Prisoner Review Board.*

For a more comprehensive explanation and list of crimes

eligible for expungement, contact the Office of the State Appellate

Defender at (866) 431-4907 or visit www.state.il.us/defender.